

PD00128
(3-0-0)

Report Date: September 18, 2007

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

SEP 21 2007

Eastern District of Washington

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Richard Darrell Jennen	Case Number: 2:05CR00162-003
Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge	
Date of Original Sentence: 07/14/2006	Type of Supervision: Supervised Release
Original Offense: Conspiracy to Manufacture 100 or More Marijuana Plants, 21 U.S.C. § 846	Date Supervision Commenced: 07/13/2007
Original Sentence: Prison - 12 Months; TSR - 36 Months	Date Supervision Expires: 07/12/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall reside in a residential reentry center for a period of up to 90 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

On July 13, 2007, the defendant was referred to New Horizon Counseling Services for the purpose of random drug testing and to complete a substance abuse evaluation. His assessment was scheduled for August 7, 2007, however, he failed to show for the assessment as directed. Mr. Jennen was advised to reschedule his assessment immediately. On August 29, 2007, Mr. Jennen reported to New Horizon to complete his assessment. During that time, he submitted a urine sample that tested presumptive positive for methamphetamine. Mr. Jennen was directed to sign the chain of evidence form prior to the sample being submitted to the laboratory for confirmation, however, he refused to sign the form and the sample was not submitted to the lab. On September 5, 2007, Mr. Jennen failed to report to New Horizon for random drug testing. The undersigned officer left a message at his residence that he needed to report to the U.S. Probation Office on September 7, 2007. Richard Jennen failed to report as directed.

On September 10, 2007, the undersigned officer attempted to contact Mr. Jennen at his listed residence. His former girlfriend, Toni Higgins, reported that he had moved out approximately 1 week earlier. She provided the name and phone number of his mother, and indicated she may be a point of contact. This officer managed to contact the defendant through his mother and directed him to report to the U.S. Probation Office on September 12, 2007.

Mr. Jennen admitted that he had relapsed with methamphetamine, and had moved out of his residence out of belief that a warrant had been issued for his arrest. As a result, he terminated his employment through Trumark. He reported that he left on good terms, advising Trumark that he had probation matters to resolve. Mr. Jennen agrees it would be in his best interest to return to the residential reentry center (RRC) for a term of up to 90 days. This will

Prob 1211

Re: Jennen, Richard Darrell

September 18, 2007

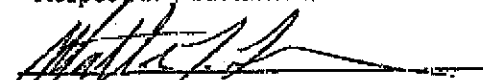
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allow him to become entrenched in substance abuse treatment, obtain employment, and work to establish a new release plan. Mr. Jennen is also considering application to the Sobriety Treatment and Education Program (STEP) of the Eastern District of Washington.

Hopefully, this response will satisfy the expectations of the Court. If Your Honor desires a different course of action or a Court appearance to address this matter, please advise the undersigned officer.

Respectfully submitted,

by




Matthew L. Thompson
U.S. Probation Officer

Date: September 18, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

9/21/07

Date

* JRB: 49
1/9/07

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Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

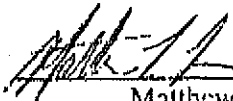
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 18 You shall reside in a residential reentry center for a period of up to 90 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:


Matthew I. Thompson
U.S. Probation Officer

Signed:


Richard Darrell Jennen
Probationer or Supervised Releasee

September 12, 2007

Date